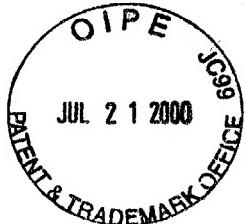


GP 1635 AF \$

BOX AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1635



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Shoji TSUJI et al.

Appl. No.: 09/101,132 Group: 1635

Filed: June 30, 1998 Examiner: J. EPPS

For: cDNA FRAGMENT OF GENE CAUSATIVE OF SPINOCEREBELLAR ATAXIA TYPE 2 (AS AMENDED)

RECEIVED

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, DC 20231

July 21, 2000

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 21, 2000 of the Primary Examiner finally rejecting claims 10-15.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

- A Statement Claiming Small Entity Status

is submitted herewith (original photocopy).

was previously submitted on _____.

The fee has been calculated as shown below:

- NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

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- An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on June 21, 2000. Thus a fee of \$490.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$300.00
 Small Entity - \$150.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$790.00.

Payment of the above TOTAL FEE is being made in the following manner:

- A check in the amount of \$790.00 is enclosed.
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Gerald M. Murphy, Jr., #28,977
Gerald M. Murphy, Jr., #28,977

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0760-0248P

(Rev. 04/19/2000)